

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MICHAEL HARDY,)	
)	
Plaintiff,)	
)	
v.s)	Case No. 02:08-cv-15-MHT
)	
J. WALTER WOOD, Jr., et., al.)	
)	
Defendants.)	

MOTION TO EXTEND DEADLINE TO FILE DISPOSITIVE MOTIONS

COME NOW, Defendant, J. Walter Wood, Jr., by and through undersigned counsels, and hereby respectfully moves this Court to extend the deadline for the Defendant to file a dispositive motion. As grounds for this Motion, the Defendant states as follows.

1. The parties of this action are also parties in another action, Tera A. McMillan v. Alabama Department of Youth Services and Michael J. Hardy, 2:07:cv-04-WKW, which involve a common question of law and fact.
2. The result of the McMillan action will likely be controlling and dispositive of the claims in this case because the parties issues and claims are the same.
3. The trial of the McMillan case is scheduled to begin August 4, 2008.

For the forgoing reasons, the Defendant move this Honorable Court for 30 day extension, August 28, 2008, to file a dispositive motion after final judgement in the McMillan case.

Done this 3rd day of July 2008

Respectfully submitted,

/s/ T. Dudley Perry, Jr.

T. Dudley Perry, Jr.

General Counsel

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s/Sancha E. Teele

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CERTIFICATE OF SERVICE

I hereby certify that on the 3th day of July, 2008, I electronically filed the foregoing,

MOTION TO EXTEND DEADLINE TO FILE DISPOSITIVE MOTIONS with the Clerk

of the Court using the CM/ECF system which

will send notification of such filing to the following:

Gwendolyn T. Kennedy

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s/ T. Dudley Perry Jr.

T. Dudley Perry, Jr.

Bar Number: 3985-R67T

Deputy Attorney General

Attorney for the Defendants.